IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

WP(C).No. 4904 of 2007(H)

PETITIONER:

B.ANIL, DATA PROCESSING ASSISTANT,
OFFICE OF THE JOINT CONTROLLER OF TECHNICAL EXAMINATION, THIRUVANANTHAPURAM.

BY ADV. SRI.V.AJITH NARAYANAN

RESPONDENTS:

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1. THE DIRECTOR OF TECHNICAL EDUCATION,
DIRECTORATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM.

2. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER (SHRI A.J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 4904 OF 2007 H

Dated this the 21st February, 2007

JUDGMENT

Case of petitioner, in brief, is as follows:

Petitioner is a Trade Instructor in Computer Engineering in the Technical Education Department. He was transferred from the Govt. Polytechnic College, Kalamassery to the Office of the Joint Controller of Technical Examinations, Thiruvananthapuram as Data Processing Assistant. According to him, there was a forcible collection of an undertaking that while serving in the Office of the Joint Controller of Technical Examinations, Thiruvananthapuram, he will not write the Diploma Examination in Engineering/Technology (Electronics). Petitioner has not written the remaining six papers in the final year examination. But, he has got eighty per cent marks in four papers in the final year. According to him, he is prepared to be transferred anywhere within Thiruvananthapuram District. Anyway, petitioner has preferred Ext.P9 before the first

respondent. Heard the learned Government Pleader also. In view of the urgency expressed by petitioner, the Writ Petition is disposed of leaving open petitioner's contentions, with a direction to the first respondent to consider and take a decision on Ext.P9 in accordance with law, after hearing the petitioner also, within one week from the date of receipt of a copy of this Judgment. To facilitate hearing, petitioner will be present before first respondent at 11 A.M. On 23.2.2007.

K. M. JOSEPH, JUDGE

kbk.